

33. APPLICATION BY THE CITY OF PITTSBURG, CONTRA COSTA COUNTY,
FOR A FISHING PIER PERMIT - W 20893.

Mr. Joel Summerhill, Park Planner, representing the City of Pittsburg, appeared. Mr. Summerhill requested that the Commission consider the City's application for a fishing pier permit. He stated that he realized the application for the permit was not on the Commission's agenda, but hoped to obtain its approval, contingent upon receipt of the Notice of Determination and the issuance of a permit from the U. S. Army Corps of Engineers. Chairman Cory questioned why the City couldn't wait until the next Commission meeting. Mr. Summerhill stated that the City has a contractor with a good bid who has been waiting three months. He explained that if the City has to put the project out to bid again, it could cost the City between \$5,000 and \$10,000, which is approximately one-tenth of the entire budget for the park project.

Mr. James F. Trout, Manager, Land Operations, appeared and explained that, pursuant to the Public Resources Code, the City must comply with the California Environmental Quality Act. Just before this meeting the City filed a Negative Declaration with the State Clearinghouse. The Negative Declaration must now be circulated for thirty days before it can be considered by the Commission. In addition, Mr. Trout stated that it was his understanding that the U. S. Army Corps of Engineers had just released its Public Notice which requires sixty days circulation. Therefore, he concluded that the staff cannot recommend that the Commission act on the present Negative Declaration because it does not comply with CEQA.

Mr. N. Gregory Taylor, Deputy Attorney General, concurred with Mr. Trout; the Commission, therefore, did not act on the subject permit.